

Exhibit A

COMMONWEALTH OF VIRGINIA



LOUDOUN CIRCUIT COURT
Civil Division
18 E MARKET ST/PO BOX 550
LEESBURG VA 20178-0550
(703) 777-0270

Summons

To: MVB BANK INC
SPECIAL PROCESS SERVICE
SERVE: CORPORATION SERVICE
COMPANY
100 SHOCKOE SLIP FL 2
RICHMOND VA 23219-4100

Case No. 107CL22004298-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Tuesday, August 02, 2022

Clerk of Court: GARY M CLEMENS

by _____ Denise Beach _____
(CLERK/DEPUTY CLERK)

Instructions:

Hearing Official:

Attorney's name: DEPALMA, NICHOLAS M
703-905-1455
8010 TOWERS CRESCENT DR STE 300
VIENNA VA 22182

IN THE CIRCUIT COURT OF LOUDOUN COUNTY, VIRGINIA

LONGEVITI, LLC,

Plaintiff,

v.

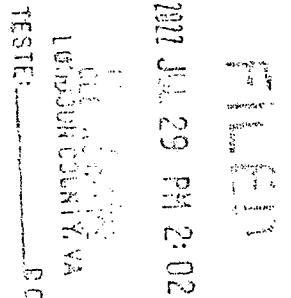
MVB BANK, INC.,

SERVE:

Corporation Service Company
100 Shockoe Slip Fl 2,
Richmond, VA 23219-4100

Defendant.

Case No. CL 22-4298



COMPLAINT

COMES NOW Plaintiff Longeviti, LLC ("Longeviti") and brings this Complaint against Defendant MVB Bank, Inc. ("MVB").

1. Longeviti is headquartered in Sterling, Virginia and provides consulting services, national security solutions, and language services to the government and commercial entities.

2. MVB is Longeviti's bank.

3. Longeviti makes payroll from its bank account at MVB.

4. On June 22, 2022, MVB sent Brandon Long, Longeviti's CEO, a notice that his email address changed from blong@longevitilc.com to blong@longevitilc-microsoftonline.com.

5. Mr. Long responded to Natasha Hong, MVB's Northern Virginia Branch Operations Coordinator, and informed her that he did not request or make the change.

6. Ms. Hong responded that Mr. Long's email address had not changed.

7. Mr. Long read Ms. Hong's assurance that "your personal email address on our system has not changed" and took no further action.

8. A true and correct copy of the email chain is attached as Exhibit 1.

9. Unfortunately, Ms. Hong's statement was false because Mr. Long's email address changed from blong@longevitillc.com to blong@longevitillc-microsoftonline.com.

10. Malicious actors made this change.

11. Malicious actors then placed payment orders on June 22 and June 23, 23—totaling \$550,000.

12. MVB accepted these payment orders without Longeviti's authorization.

13. Longeviti had never sent funds to these accounts (in Singapore), and the transfer amounts were the highest volume on the account statement, exceeding Longeviti's payroll.

14. MVB Bank failed to follow any procedure to prevent this fraud.

15. As a direct and proximate result of MVB acceptance of these payment orders, Longeviti is damaged in the amount of \$550,000 plus interest.

COUNT I
(Violation of Virginia Code §§ 8.4A-201, et. seq.)

16. Under the UCC, if a receiving bank accepts a payment order issued in the name of its customer as sender which is not authorized then the bank "shall refund any payment of the payment order . . . and shall pay interest on the refundable amount . . ." Va. Code § 8.4A-204(a).

17. A bank can shift the risk of loss to their customers only through strict compliance with Section 8.4A-202(b) of the Virginia Code if the parties have agreed to a commercially reasonable security procedure that the bank followed in good faith.

18. Here, it is unknown whether MVB will raise Section 8.4A-202(b) as a defense. Regardless, MVB: (a) allowed an email change from blong@longevitillc.com to blong@longevitillc-microsoftonline.com; (b) failed to take corrective action after Mr. Long stated in writing that he did not make or request the change; (c) reassured Longeviti that there had been no change; (d) accepted unauthorized payment orders from malicious actors; (e) failed to

notify and confirm with Longeviti the payment orders; (f) failed to exercise basic security procedures despite evidence of fraud; and (g) failed to reject, stop, cancel, or recall the orders.

WHEREFORE, Longeviti is entitled to: (1) a judgment in its favor and against MVB for a full refund of the net outstanding balance of the fraudulent payment orders executed on June 22 and June 23, 2022, plus interest under Virginia Code § 8.4A-204(a).

PRAAYER FOR RELEIF

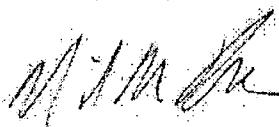
WHEREFORE, Longeviti prays for judgment in its favor against MVB Bank:

- A. Granting Longeviti judgment on Count I;
- B. Granting Longeviti compensatory damages of \$550,000 plus interest running from June 22 and June 23, 2022, representing a full refund of the two unauthorized payment orders;
- C. Granting such other and further relief as the Court deems just and proper,

Demand for Jury Trial

Longeviti demands trial by jury.

VENABLE LLP



James Y. Boland, VSB 70817
Nicholas M. DePalma, VSB 72886
Carly Celestino, VSB 94700
8010 Towers Crescent Drive, Suite 300
Tysons, VA 22182
Tel: (703) 905-1455
Fax: (703) 821-8949
jyboland@venable.com
nmdepalma@venable.com
cmcelestino@venable.com

Counsel for Plaintiff Longeviti, LLC

EXHIBIT 1

From: Natasha Hong <nhong@mvbbanking.com>
Sent: Wednesday, June 22, 2022 1:29:21 PM
To: Brandon Long <blong@longevitillc.com>; Ling Huang <lhuang@longevitillc.com>
Subject: RE: Email Address Change Notification

Hi Brandon,

Your personal email address on our system has not changed.

This notice was automatically sent because the new online admin Richard Barrera logged in online

this morning and he changed that email address for Longevity.

Kind Regards,

Natasha Hong
Specialty Deposits Associate

MVB Bank
12100 Sunset Hills Rd Suite 130
Reston, VA 20190
571-526-4551 Direct
844.MVB.BANK Toll Free
nhong@mvbbanking.com

Confidentiality Notice: This email, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information from MVB Bank, Inc. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please notify the sender by reply email or telephone and destroy all copies of the original message.

Privacy Notice: When sending email to us, never include any confidential or personal information such as your password, account number or Social Security number. You cannot be assured that your connection is a secure one. Further, none of our employees will ever ask you to provide personal or confidential information via email.

From: Brandon Long <blong@longevitillc.com>
Sent: Wednesday, June 22, 2022 11:19 AM
To: Ling Huang <lhuang@longevitillc.com>; Natasha Hong <nhong@mvbbanking.com>
Subject: Fwd: Email Address Change Notification

External Email: CAUTION

Hello Natasha,

I received this notification moments ago.

I did not request or make the email change.

Can you please advise?

Thank you,

Brandon

[Get Outlook for iOS](#)

From: MVB Bank Online Banking Support <ibsupport@mybbanking.com>

Sent: Wednesday, June 22, 2022 10:56:40 AM

To: Brandon Long <blong@longevityllc.com>

Subject: Email Address Change Notification

Notice:

The email address we have on file has been changed from blong@longevityllc.com to blong@longevityllc-microsoftonline.com. If you did not change your email address, please contact us immediately at 844-MVB-BANK (844-682-2265).

Thank you,

MVB Bank